

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

| | | |
|---------------------------|---|----------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | 8:21CR83 |
| |) | |
| vs. |) | |
| |) | |
| CLARENCE M. RUSS, |) | ORDER |
| |) | |
| Defendant. |) | |

This matter is before the court on defendant's Motion to Continue Trial [38]. Counsel needs additional time to determine if he can negotiate a resolution short of a trial. If resolution cannot be reached, then counsel needs additional time to prepare for trial. For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [38] is granted, as follows:

1. The jury trial now set for August 3, 2021, is continued to **October 5, 2021**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 5, 2021**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED: July 23, 2021.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge